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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THOMAS FIORE,

Plaintiff(s),

v.

TOWNSEND FARMS, INC., et al.,

Defendant(s).

2:13-CV-1729 JCM (PAL)

ORDER

Presently before the court is plaintiff Thomas Fiore's motion to voluntarily dismiss. (Doc. # 75).

Plaintiff seeks to dismiss all of his claims pursuant to Federal Rule of Civil Procedure 41(a)(2) which provides that the court may dismiss an action at a plaintiff's request "on terms that the court considers proper." The court finds that there will be no prejudice to any party in this matter if dismissal is granted.

Additionally, the court finds that an award of costs is not appropriate at this time.


Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff Thomas Fiore's motion to voluntarily dismiss (doc. # 75) be, and the same hereby is, GRANTED.

IT IS FURTHER ORDERED that defendant Purely Pomegranate, Inc.'s motion to dismiss (doc. # 55) is DENIED as moot.

1 IT IS FURTHER ORDERED that plaintiff's third amended complaint (doc. # 30) is
2 DISMISSED without prejudice. The clerk shall enter judgment accordingly and close the case.

3 DATED July 3, 2014.

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6 **UNITED STATES DISTRICT JUDGE**